

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – NOVEMBER 7, 2012
REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Chairman Ahlquist called the regular meeting of the Scarborough Town Council to order at 7:00 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager was also present.

Judith L. Roy, Vice-Chair

Jessica L. Holbrook

Richard J. Sullivan, Jr. [Absent]

James E. Benedict

Carol S. Rancourt

Ronald D. Ahlquist, Council Chair

Item 4. General Public Comments.

- Bud Hansen of Stoney Creek Drive thanked Carol Rancourt for her involvement with the Seniors Group. He also thanked Judy Roy for all her help with the blood pressure services that she does for the seniors. He noted the new Senior Brochure is out and in it is a survey and encouraged the seniors to fill this out and send it back in to Community Services.

Item 5. Minutes: October 3, 2012 – Regular Meeting. Motion by Councilor Rancourt, seconded by Councilor Roy, to move approval to table the October 3, 2012, Town Council minutes to the November 28, 2012, Town Council meeting.

Vote: 5 Yeas.

Item 6. Adjustment to the Agenda. None at this time.

Item 7. Items to be signed: a. Treasurer's Warrants. Treasurer's warrants were signed during the meeting.

Order No. 12-106, 7:00 p.m. Public hearing and action on the new request for a Food Handlers License from Wendco of Maine, LLC d/b/a Wendy's Old Fashioned Hamburgers, located at 205 U.S. Route One. Chairman Ahlquist opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:05 p.m.

Motion by Councilor Roy, seconded by Councilor Rancourt, to move approval on the new request for a Food Handlers License from Wendco of Maine, LLC d/b/a Wendy's Old Fashioned Hamburgers, located at 205 U.S. Route One.

Vote: 5 Yeas.

Resolution 12-07. Act on the request to approve Resolution 12-07 in support urging the Maine State Legislature and the United States Congress to amend the Constitution to State that Corporations are not human beings. Margery Rosenbaum of 29 Chamberlain Road read Resolution 12-07. The following individuals spoke on this item: Elaine Ritcher of Reef Lane read a statement as to why this Resolution should be approved. Sam Kelly of Flintlock Drive – spoke on the Resolution and urged the Council to support it. Janine Durant of Mulberry Drive urged the Town Council to support this Resolution. Steve Demetriou of Portland spoke in support of this resolution and asked the Council

to approve this item. Charles Spanger of Beech Ridge Road spoke in support on this resolution and also urged the Council to approve this item. He noted that many communities both in the State of Maine and out side are approving this resolution. Margery Rosenbaum Chamberlain Road asked the Council to protect her voice by supporting this resolution.

Motion by Councilor Rancourt, seconded by Councilor Roy, to move approval Resolution 12-07 in support of urging the Maine State Legislature and the United States Congress to amend the Constitution to State that Corporations are not human beings.

RESOLUTION 12-07

URGING THE MAINE STATE LEGISLATURE AND THE UNITED STATES CONGRESS TO AMEND THE CONSTITUTION TO STATE THAT CORPORATIONS ARE NOT HUMAN BEINGS

BE IT RESOLVED by the Town Council of the Town of Scarborough, in Town Council assembled, that:

WHEREAS, government of, by, and for The People has long been a fundamental American value, and The People's fundamental and inalienable right to self-govern, and thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed in the United States Constitution and the Declaration of Independence, and;

WHEREAS, free and fair elections are essential to democracy and effective self-governance, and;

WHEREAS, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food, and;

WHEREAS, corporations exist only by the express permission of The People, and;

WHEREAS, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival, and exist solely through the legal charter imposed by the government of The People, and;

WHEREAS, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying The People's exercise of our Constitutional rights, and;

WHEREAS, corporations are not mentioned in the Constitution, and The People have never granted constitutional rights to corporations, nor have We decreed that corporations have authority that exceeds the authority of The People of the United States, and;

WHEREAS, interpretation of the Constitution by appointed Supreme Court justices to include corporations in the terms 'persons' has denied The People's exercise of self-governance by endowing corporations with Constitutional protections intended for The People, and;

WHEREAS, the judicial bestowal of civil and political rights upon corporations usurps basic human and Constitutional rights guaranteed to only human persons, and;

WHEREAS, corporations are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations, and;

WHEREAS, large corporations' profits and survival are often in direct conflict with the essential needs and rights of human beings, and;

WHEREAS, the recent Citizens United v. the Federal Election Commission Supreme Court decision that rolled back the legal limits on corporate spending in the electoral process creates an unequal playing field and allows unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes, and forces elected officials to divert their attention from The Peoples' business, or even vote against the interest of their human constituents, in order to raise competitive campaign funds for their own re-election, and;

WHEREAS, large corporations often use America's mass media through super political action committees to anonymously express their political agenda using exaggerations or falsehoods which forces citizens to toil to discern the truth behind election campaigning, and;

WHEREAS, tens of thousands of people and municipalities across the nation are joining together to call for an Amendment to the United States Constitution to Abolish Corporate Personhood.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of Scarborough, Maine hereby urges the Maine State Legislature and United States Congress to amend the United States Constitution to clearly state that corporations are not human beings and do not have the same rights as citizens.

BE IT FURTHER RESOLVED, that, should it pass by a majority vote at a Council Meeting, a copy of this vote of non-binding statement be forwarded immediately to United States President Barack Obama, congressional representatives, and the leadership of the Maine legislature.

Signed and dated this the 7th day of November, 2012, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by Ronald D. Ahlquist, Chairman and attested by the Town Clerk.

Vote: 5 Yeas.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 12-107. Act on the request to accept the following street, pursuant to Title 23, M.R.S.A. §3025 and the requirements of Section 4, of the Scarborough Street Acceptance Ordinance: Gallery Boulevard located in the Gallery Boulevard Subdivision. Motion by Councilor S, seconded by Councilor , to move approval on the request to accept the following street, pursuant to Title 23, M.R.S.A. §3025 and the requirements of Section 4, of the Scarborough Street Acceptance Ordinance: Gallery Boulevard located in the Gallery Boulevard Subdivision.

Vote: 5 Yeas.

Order No. 12-108. Act on the request to certify the election results for the Municipal Election held on Tuesday, November 6, 2012. Motion by Councilor Rancourt, seconded by Councilor Benedict, to move approval on the request to certify the election results for the Municipal Election held on Tuesday, November 6, 2012, as follows:

Presented for certification by the Town Council, are the election results for the Municipal Elections that were held on Tuesday, November 6, 2012:

TOWN COUNCIL – 3 Year Term

ANDRIULLI, Paul	3,599
BLAISE, Edward	3,902*
COON, Christopher C.	3,385
HOLBROOK, Jessica L.	5,836*

TOWN COUNCIL – SPECIAL SEAT - 2 Year Term

DONOVAN, William J.	4,602
ST. CLAIR, Katherine A.	4,676*

BOARD of EDUCATION- 3 Year Term

BEELEY, Donna L.	7,335*
CAIAZZO, Christopher	5,887*
PERRY, Jacquelyn A.	7,827*

SANITARY DISTRICT – 3 Year Term

RICO, Nicola F.	7,813*
VIOLA, Benedetto	7,830*

QUESTION 1 – BOND REFERENDUM – Ladder Truck

YES – 7,050* NO – 4,195

There are approximately 15,283 active voters on our voter registration list. There were 11,826 voters who cast ballots. 5,407 absentee ballots were issued and of that 5,246 absentee ballots were cast.

We had a 34% Absentee voter turnout and a 43% turnout at the Polls on Election Day, which brought us to a 77% overall voter turnout.

Pursuant to Section. 206. Induction of Council into Office. Councilors elect shall be sworn to the faithful discharge of their duties by the Town Clerk or the Town Clerk’s designee and shall assume their duties at the commencement of second meeting (2nd), whether regular, special, or emergency, of the Town Council following the regular Town election. (amended November 7, 2000; effective January 1, 2001). The second meeting of the Town Council has been scheduled to meet on Wednesday, November 28, 2012 and at this meeting the newly elected officials will be sworn in.

*The winners are indicated with an asterisk.

Vote: 5 Yeas.

Item 8. Non Action Items. None at this time.

Item 9. Standing and Special Committee Reports and Liaison Reports.

- Councilor Roy gave an update from the Energy Committee as well as the Long Range Planning Committee, the Greater Portland Council of Governments, SEDCO and the Finance Committee. would be meeting on November 20th.
- Councilor Benedict reminded everyone of hunting season and to be careful.
- Councilor Rancourt gave a brief update on the Traffic Committee and the next meeting would be this Tuesday.

Item 10. Town Manager Report. Thomas J. Hall, Town Manager gave a report on the following:

- He congratulated all candidates and noted that he would be meeting with the newly elected Councilors to bring them up to speed as to what business was before the Council.
- The proposed amendments to the Floodplain Ordinance are being brought forward at a future meeting and it is recommended that these items not be approved.
- Public Works Winter Notices are up on the web site.
- The Grand Opening of new U.S. Cellular store located at 300 Gallery Blvd. will be held on Wednesday, November 14th at 4:30 p.m.
- There would be a Stormwater Workshop with Planning Staff on Monday, November 19th at 5:00 p.m. and a light supper would be served.
- He gave an update on the PEST Management Advisory Committee.
- The next Council meeting would be on Wednesday, November 28th at the Veterans Home. Chairman Ahlquist and Bud Hansen have been working on this meeting.

Item 11. Council Member Comments.

- Councilor Roy congratulated the Boys and Girls Soccer Teams and reminded candidates that political signs need to be removed by tomorrow evening. Condolences to the following families on their loss: Alice Sanborn, Joshua Knowles Adams, Jr., Cynthia Darling Merriman, Peggy Fisk, Anthony Lawson, Stan Libby, Rodney Quinn and Ken Dolloff.
- Councilor Holbrook thanked voters for re-elected to continue on for another three years.
- Councilor Benedict congratulated Councilor Holbrook on being re-elected to the Council. He looks forward to work with her and the two new Councilors.
- Chairman Ahlquist congratulated the Soccer Team. He sent condolences to the Dolloff family on their loss. He then presented a plaque to Councillor Rancourt for her years of service on the Town Council and to the Town of Scarborough.
- Council Rancourt sent condolences to the Dolloff family and to the family of Rodney Quinn. She also noted that Nancy Crowell, Director of the Library lost her dad as well. This is my last night and will not say "I will never come back" I love my town and it has been an honor and a pleasure to serve my town and its residents. Good night and thank you and thank you to all of you for your continued work for the Town

Item 12. Adjournment. Motion by Councilor Rancourt, seconded by Councilor Roy, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 5 Yeas.

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

Yolande P. Justice
Town Clerk